

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	CRIMINAL ACTION NO.
v.)	2:10cr209-MHT
)	(WO)
THOMAS K. FRYE)	
KATHY M. FRYE)	

ORDER

This case is before the court on defendants Thomas K. Frye and Kathy M. Frye's motion to clarify restitution (doc. no. 113). In the motion, the Fries indicate that, contrary to their plea agreement (that they would not be assessed interest on restitution), the Internal Revenue Service, the victim in this case, has demanded that they pay interest on restitution. If true, this appears to violate this court's order finding that that they should not be assessed interest on restitution and waiving the imposition of interest. See Judgment (doc. no. 106) at 4.

Accordingly, it is ORDERED that, by May 25, 2018, the government shall file a brief in response to the motion. In the brief, the government should (1)

explain whether the Frye defendants are required to pay interest on restitution, and if so, under what legal authority, and (2) if the Frye defendants are not required to pay interest, explain how the court may proceed to enforce its order.

DONE, this the 11th day of May, 2018.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE